

LEWIS
AND
ROCA
LLP
LAWYERS

1 3993 Howard Hughes Parkway, Suite 600
2 Las Vegas, NV 89169-5996
3 Facsimile (702) 949-8321
4 Telephone (702) 949-8320

E-Filed on 9/21/07

5 40 North Central Avenue, Suite 1900
6 Phoenix, Arizona 85004-4429
7 Facsimile (602) 734-3824
8 Telephone (602) 262-5756

9 Susan M. Freeman AZ State Bar No. 004199
10 Email: sfreeman@lrlaw.com
11 Rob Charles NV State Bar No. 006593
12 Email: rcharles@lrlaw.com

13 Attorneys for USACM Liquidating Trust

14 **UNITED STATES BANKRUPTCY COURT
15 DISTRICT OF NEVADA**

16 In re:

17 USA COMMERCIAL MORTGAGE
18 COMPANY,

19 USA CAPITAL REALTY ADVISORS,
20 LLC,

USA CAPITAL DIVERSIFIED TRUST
DEED FUND, LLC,

USA CAPITAL FIRST TRUST DEED
FUND, LLC,

USA SECURITIES, LLC, Debtors.

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR
Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under Case No.
BK-S-06-10725 LBR

**STIPULATION RE WITHDRAWAL
OF PROOF OF CLAIM NO. 10725-
00365 FILED BY JOSEPH GOLDEN**

Affects:

- All Debtors
- USA Commercial Mortgage Company
- USA Capital Realty Advisors, LLC
- USA Capital Diversified Trust Deed Fund, LLC
- USA Capital First Trust Deed Fund, LLC
- USA Securities, LLC

The USACM Liquidating Trust (the “USACM Trust”), by and through its undersigned counsel, and Joseph Golden (“Claimant”), stipulate:

1. Claimant filed a Proof of Claim (“Claim”) No. 10725-00365 on October 2, 2006, in the amount of \$25,000.00.

1 2. On August 27, 2007, USACM Trust notified Claimant of discrepancies with
2 respect to the Claim and gave Claimant the option to correct the discrepancies or withdraw
3 the Claim.

4 3. Claimant notified the USACM Trust that Claimant wants to withdraw the
5 proof of claim filed in this case.

6 Therefore, the parties stipulate and agree that Claimant withdraws proof of claim
7 No. 10725-00365 filed on October 2, 2006, in the amount of \$25,000.00 and no further
8 notice shall be given to Claimant. Claimant will receive no distribution from the USACM
9 Trust on account of the Claim, but this does not affect any payments Claimant may be
10 entitled to receive from the current or future servicing agent on pending Direct Lender
11 loans from current or future Borrower loan payments.

12 DATED: 9/14/2007

13 **LEWIS AND ROCA LLP**

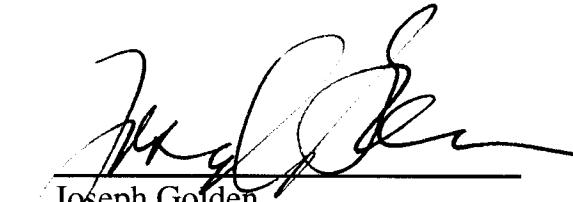
14 By: /s/ RC (#6593)

15 Susan M. Freeman, AZ 4199 (*pro hac vice*)
16 Rob Charles, NV 6593

17 *Counsel for USACM Liquidating Trust*

18 -and-

19 DATED: 8/30/07, 2007.

20 
21 Joseph Golden
22 144 Dawn Court
23 Old Bridge, New Jersey 08857